

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ALVIN L. BRAGG, JR., in his official capacity as
District Attorney for New York County,

Plaintiff,

v.

JIM JORDAN, in his official capacity as Chairman of the
Committee on the Judiciary, et al,

Defendants.

Case No. 1:23-cv-03032

CERTIFICATION OF SERVICE

I, Theodore J. Boutrous, Jr., declare as follows:

1. I am over the age of eighteen and am competent to testify as to the matters herein. I am licensed to practice law in New York, California, and the District of Columbia. I am one of the attorneys representing Plaintiff Alvin L Bragg, Jr. ("District Attorney Bragg") in this action. The following is based upon personal knowledge unless otherwise noted.
2. On April 11, 2023, counsel for District Attorney Bragg filed in the United States District Court for the Southern District of New York, among other documents, a Complaint, Summonses, Motion for a Temporary Restraining Order and Preliminary Injunction, my declaration in support of that Motion along with exhibits attached thereto. Subsequent to our filing the Complaint and the motion, this Court instructed counsel for District Attorney Bragg to serve Defendants by 9 P.M.¹ on April 11, 2023. Dkt. No. 13.
3. At 5:48 P.M., defendant Mark Pomerantz informed counsel for District Attorney Bragg by email that Mr. Pomerantz would accept electronic service. At 6:37 P.M., Mr. Pomerantz agreed

¹ All times referenced in this declaration are in Eastern Standard Time.

to waive service of process and returned an executed waiver of service form. The executed form is being filed concurrently herewith.

4. At approximately 6:00 P.M., counsel for District Attorney Bragg sent Matthew Berry, Todd Tatelman, and Stephen Castor—counsel for the United States House of Representatives, Chairman Jim Jordan, and the Committee on the Judiciary (the “Committee”)—electronic courtesy copies of all filings in the above-captioned matter as well as four video exhibits attached to my declaration.

5. At approximately 6:00 P.M., counsel for District Attorney Bragg sent Mr. Pomerantz and his counsel electronic courtesy copies of all filings in the above-captioned matter as well as four video exhibits attached to my declaration.

6. At 6:04 P.M., Todd B. Tatelman, Deputy General Counsel for the Office of General Counsel in the United States House of Representatives, stated over email that he was authorized to accept electronic service on behalf of Chairman Jordan and the Committee, but that he was not authorized to accept or waive service of process under Federal Rule of Civil Procedure 4(i).

7. Before 9:00 P.M., pursuant to Federal Rule of Civil Procedure 4(i), counsel for District Attorney Bragg caused service to be made upon defendants Jim Jordan and the Committee on the Judiciary by causing copies of all documents filed in this action to be transmitted by certified mail, return receipt requested, to (1) Representative Jim Jordan, and (2) the Committee on the Judiciary. Pursuant to the Court’s instruction, a copy of the Court’s Order (Dkt. No. 13) was also served. Copies of the return receipts are attached hereto as Exhibits A and B.

8. Before 9:00 P.M., also pursuant to Federal Rule of Civil Procedure 4(i), counsel for District Attorney Bragg caused service to be made upon the United States by causing two copies of all documents filed in this action to be transmitted by certified mail, return receipt requested, to (1) the United States Attorney’s Office in the Southern District of New York and (2) the Attorney

General of the United States. Pursuant to the Court's instruction, a copy of the Court's Order (Dkt. No. 13) was also served. Copies of the return receipts are attached hereto as Exhibits C and D.

I, Theodore J. Boutrous, Jr., declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and accurate to the best of my knowledge and belief.

Dated: April 11, 2023

GIBSON DUNN & CRUTCHER LLP

/s Theodore J. Boutrous, Jr.

Theodore J. Boutrous, Jr.

333 South Grand Ave.,

Los Angeles, California 90071

Tel: (213) 229-7804

tboutrous@gibsondunn.com

Counsel for Plaintiff Alvin L. Bragg, Jr.